

UTILITY PATENT APPLICATION TRANSMITTAL		<i>Title of Invention</i>	Sphingolipid Derivatives and Their Methods of Use
<i>(Only for new non-provisional applications under 37 CFR 1.53(b))</i>		<i>Named Inventor(s)</i>	Liotta et al.
		<i>Attorney Docket</i>	18085.105233CON1 (EMU 2010)
		<i>Express Mail Label No.</i>	EV242821577US
APPLICATION ELEMENTS		<i>ADDRESS TO:</i> Mail Stop Patent Application Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450	
		ACCOMPANYING APPLICATION PARTS	
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i></p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification, Claims, and Abstract Total Pages 128</p> <p>4. <input checked="" type="checkbox"/> Drawings Total Sheets 14</p> <p>5. Oath or Declaration Total Pages 5</p> <p>a. <input type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input checked="" type="checkbox"/> Copy from prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i></p> <p>(i) <input checked="" type="checkbox"/> A Copy of DECISION</p> <p>ACCORDING STATUS UNDER 37 CFR 1.47(a). Petition Under 37 CFR 1.47(a) and enclosed proof of pertinent facts relating to accepting this application for prosecution without the executed oath of co-inventor, Kapil N. Bhalla.</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76.</p> <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (<i>Appendix</i>)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (<i>if applicable, all necessary</i>)</p> <p>a. <input type="checkbox"/> Computer Readable Form (CRF)</p> <p>b. Specification Sequence Listing on:</p> <p>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</p> <p>ii. <input type="checkbox"/> paper</p> <p>c. <input type="checkbox"/> Statement verifying identity of above copies</p>		<p>9. <input checked="" type="checkbox"/> A Copy of the Assignment Papers (cover sheet & document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i></p> <p><input type="checkbox"/> Power of Attorney by assignee</p> <p>11. <input type="checkbox"/> English Translation Document (<i>if applicable</i>)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS) PTO-1449</p> <p><input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment 4 pp.</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i></p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s)</p> <p>16. <input checked="" type="checkbox"/> Other: <u>Request for Filing a Continuation Application Under 37 CFR § 1.53(b) 2 pp.</u></p>	
<p>17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:</p> <p><input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: 09/249,211</p> <p>Prior application information: Examiner: Leigh C. Maier Group/Art Unit: 1623</p> <p>For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.</p> <p>18. CORRESPONDENCE ADDRESS:</p> <p>Sherry M. Knowles 45th Floor 191 Peachtree Street, N.E. Atlanta, Georgia 30303</p> <p>By: <i>[Signature]</i> <i>for express priority mailing date 3/6/174</i> Reg. No. 33,052 Telephone: 404.572.3541 Facsimile: 404.572.5145 Customer No. 20786</p>			

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U.S. PTO

FEE TRANSMITTAL

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): Liotta *et al.*

Filing Date: August 25, 2003

Title: Sphingolipid Derivatives and Their Methods of Use

The filing fee is calculated as shown below:

1. FILING FEE:

FOR:	SMALL ENTITY		LARGE ENTITY	
	FEES	FEES PAID	FEES	FEES PAID
<input checked="" type="checkbox"/> UTILITY FILING FEE	\$375.00	375.00	\$750.00	
<input type="checkbox"/> DESIGN FILING FEE	\$165.00		\$330.00	
<input type="checkbox"/> PLANT FILING FEE	\$255.00		\$510.00	
<input type="checkbox"/> REISSUE FILING FEE	\$370.00		\$740.00	
<input type="checkbox"/> PROVISIONAL FILING FEE	\$80.00		\$160.00	
SUBTOTAL (1)		\$375.00		

2. CLAIMS:

FOR:	SMALL ENTITY		LARGE ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEES
TOTAL CLAIMS	66 - 20 =	46	x \$9 =	\$414.00
INDEP. CLAIMS	7 - 3 =	4	x \$42 =	\$168.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+\$140 =	\$140.00
SUBTOTAL (2)			\$722.00	

3. ADDITIONAL FEES:

FOR:	SMALL ENTITY		LARGE ENTITY	
	FEES	FEES PAID	FEES	FEES PAID
<input type="checkbox"/> LATE FILING, FEE OR OATH				
<input type="checkbox"/> NON-ENGLISH SPECIFICATION				
<input type="checkbox"/> OTHER				
SUBTOTAL (3)				

TOTAL FILING FEES: \$1,097.00

A check is enclosed for the amount: **\$1,097.00**

Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account **11-0980**.

KING & SPALDING

45th Floor, 191 Peachtree Street, N.E.

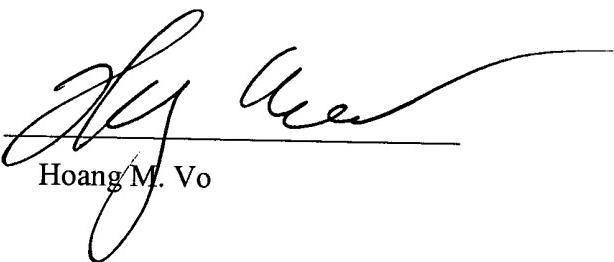
Atlanta, Georgia 30303

Telephone: 404.572.3541

By: *Sherry M. Knowles, Esq., King & Spalding, Atlanta, GA 30303* Date: **August 25, 2003**
Sherry M. Knowles, Attorney for Applicant Reg. No. 33,052

CERTIFICATE OF MAILING UNDER 37 CFR § 1.10
FOR UTILITY PATENT APPLICATION FILING

I hereby certify that this Request for filing a Continuation Application, Transmittal of Utility Patent Application, Utility Patent Application, and Fee Transmittal, along with any documents referred to as attached therein are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee", services under 37 CFR 1.10, Mailing Label Number EV 242821577US addressed to Mail Stop PATENT APPLICATION; The Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.



Hoang M. Vo

Date: August 25, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : Continuation of U.S. Application No. 09/249,211

Applicant : Liotta *et al.*

Filed : Herewith

TC/AU : Unassigned

Examiner : Unassigned

Docket No. : 18085.105233 CON1 (EMU 2010)

Customer No. : 20786

Commissioner for Patents
Mail Stop Patent Application
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR FILING A CONTINUATION APPLICATION UNDER 37 CFR § 1.53(b)

Sir:

This is a request by Dennis C. Liotta, Alfred H. Merrill, Jr., Thomas E. Keane, Kapil N. Bhalla, and Eva M. Schmelz for filing a Continuation Application under 37 C.F.R. § 1.53(b) of pending prior application U.S. Serial No. 09/249,211, filed on February 12, 1999, currently pending.

Enclosed is a copy of the prior application U.S.S.N. 09/249,211 as originally filed on February 12, 1999. The application includes one hundred and twenty-eights pages of specification, claims and abstract, and fourteen sheets of formal drawings.

The listed inventors on this application are Dennis C. Liotta, Alfred H. Merrill, Jr., Thomas E. Keane, Kapil N. Bhalla, and Eva M. Schmelz. Each inventor except Kapil N. Bhalla has assigned his/her interest to Emory University, which assignment was recorded on May 24, 1999, at Reel 009975, Frame 0905. On May 21, 1999, Applicants filed a Petition Under 37

C.F.R. 1.47(a) to accept this application for prosecution without the oath of co-inventor, Kapil N. Bhalla. The grant of this Petition was mailed by the PTO on June 22, 2000. A copy of the Decision According Status Under 37 CFR 1.47 (a) is enclosed. Also enclosed are copies of the executed Declarations for Patent Application and Powers of Attorney, which also list the initial inventors of this application without the signature of Kapil N. Bhalla.

A Preliminary Amendment is enclosed. Applicants request entry of the Preliminary Amendment prior to examination of this application.

Applicants enclose a check for \$1097.00 to cover the filing fee. The Commissioner for Patents is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 11-0980.

Respectfully submitted,

*Sherry M. Knowles w/ express pen. inc.
W. Madley* 36, 174

Sherry M. Knowles
Reg. No. 33,052

Date: August 25, 2003
Express Mail Label EV242821577US

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Attorney Docket No. 18085.105233CON1 (EMU 2010)